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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,652	12/02/2003	Richard V. Zampell	200310807-1	4519

22879 7590 06/06/2005

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EXAMINER

YAN, REN LUO

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/725,652	ZAMPELL, RICHARD V.	
	Examiner	Art Unit	
	Ren L. Yan	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant is advised that the Notice of Allowance mailed on 5-6-2005 is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

Prosecution on the merits of this application is reopened on claims 1-28 considered unpatentable for the reasons indicated below:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5-11 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Takeuchi et al(5,860,644). The patent to Takeuchi teaches the structure of an imaging apparatus as claimed including a main unit P having a printing unit and a media input tray, and a physically separate auxiliary unit B that couples with and physically supports the main unit P in a stacked configuration. The Auxiliary unit B includes a media input tray F and a document finishing mechanism(stacker S and sorter M) disposed side by side and has substantially the same footprint as that of the main unit P. Since the media input tray F and the document finishing

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mechanism(stacker S) has to be accessible from the exterior of the auxiliary unit B in order for the imaging apparatus to work properly, an opening on the housing wall of the auxiliary unit B would inherently be provided in order for the user to replenish the media supply to the media input tray F and remove the stacked printed document from the stacker S from outside of the auxiliary unit B. See Fig. 1 and column 2, lines 29-64 in Takeuchi et al for details. With respect to claims 9 and 18, the finishing mechanism(stacker S) is integrated with the media input tray and the auxiliary unit B as a whole unit.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4, 12, 14 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al in view of Guerrero(6,549,749). Takeuchi et al teach all that is claimed except that the type of print mechanism contained in the printing unit is not disclosed and the finishing mechanism does not have a stapling mechanism or a hole punching mechanism as recited. The patent to Guerrero teaches the structure of an image device including a main unit having a print mechanism(the upper part of printer 10A) and an auxiliary unit positioned below and couples with the main unit and having an integral document finishing mechanism 64(the lower part of the printer 10A). See Figs. 2-7 in Guerrero for example. With respect to claims 2, 4 and 23, the printer of Guerrero includes a laser scanner that emits a laser beam to create a latent electrostatic image on a print drum 12. See column 3, lines 13-21. With respect to claims 3 and 24, Guerrero teaches in column 2, lines 58-67 that the printer can be a laser printer, an inkjet

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printer or other types of printers. With respect to claims 12, 14 and 21, Guerrero teaches in column 6, lines 15-40 that the document finishing mechanism could be a stapler, a binder, a hole puncher, etc. In view of the teaching of Guerrero, it would have been obvious to those having ordinary skill in the art at the time the invention was made to provide the imaging apparatus of Takeuchi et al with a laser or inkjet print mechanism in order to efficiently carry out the printing operation and the known stapling, binding and hole punching mechanisms in order to enable the finishing mechanism to carry out multiple finishing operations on printed documents.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al in view of Kawahira(6,801,750). The patent to Takeuchi et al teaches all that is claimed except that it does not specifically provide the document finishing mechanism with a folder and a trimmer. Kawahira teaches in an image forming device equipped with a document finisher the conventional use of a folder and a trimmer to carry out the book-binding process. See column 5, line 44 through column 6, line 13 in Kawahira for example. In view of the teaching of Kawahira, it would have been obvious to one of ordinary skill in the art to provide the document finishing mechanism in the image forming device of Takeuchi et al with the folder and trimmer appropriately disposed in order to make the image forming device capable of doing more functions.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al in view of Dim et al(6,460,843). Takeuchi et al teach all that is claimed except that the finishing mechanism is not a spiral binding mechanism. Dim et al teach in column 1, lines 11-19 that finishing mechanisms that are capable of stapling, spiral binding, etc. have been known since the first books were printed. It would have been obvious to those having ordinary skill in the art to

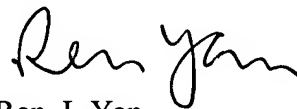
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provide the document finishing mechanism of Takeuchi et al with the known spiral binding mechanism as taught by Dim et al when the printed document is desired to be finished with spiral binding.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
May 25, 2005